

**BATHAE DUNNE LLP**  
Yavar Bathae (CA 282388)  
yavar@bathaeedunne.com  
Andrew C. Wolinsky (CA 345965)  
awolinsky@bathaeedunne.com  
445 Park Avenue, 9th Floor  
New York, NY 10022  
(332) 322-8835

Brian J. Dunne (CA 275689)  
bdunne@bathaeedunne.com  
Edward M. Grauman (*pro hac vice*)  
egrauman@bathaeedunne.com  
901 S. MoPac Expressway  
Barton Oaks Plaza I, Suite 300  
Austin, TX 78746  
(213) 462-2772

*Interim Co-Lead Counsel for the  
Advertiser Classes*

**SCOTT+SCOTT ATTORNEYS AT LAW LLP**  
Amanda F. Lawrence (*pro hac vice*)  
alawrence@scott-scott.com  
Patrick J. McGahan (*pro hac vice*)  
pmcgahan@scott-scott.com  
Michael P. Srodoski (*pro hac vice*)  
msrodoski@scott-scott.com  
156 South Main Street, P.O. Box 192  
Colchester, CT 06415  
Tel.: (860) 537-5537

Patrick J. Coughlin (CA 111070)  
pcoughlin@scott-scott.com  
Carmen A. Medici (CA 248417)  
cmedici@scott-scott.com  
Hal D. Cunningham (CA 243048)  
hcunningham@scott-scott.com  
Daniel J. Brockwell (CA 335983)  
dbrockwell@scott-scott.com  
600 W. Broadway, Suite 3300  
San Diego, CA 92101  
Tel.: (619) 233-4565

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MAXIMILIAN KLEIN, et al.,  
  
Plaintiffs,  
  
v.  
  
META PLATFORMS, INC.,  
  
Defendant.

Case No. 3:20-cv-08570-JD

Hon. James Donato

**DECLARATION OF BRIAN J. DUNNE  
IN OPPOSITION TO OMNIBUS MOTION  
TO SEAL MATERIALS SUBMITTED IN  
CONNECTION WITH CLASS  
CERTIFICATION AND *DAUBERT*  
BRIEFING AND MERITS EXPERT  
PROFFERS IN THE ADVERTISER CASE**

**FILED UNDER SEAL**

1 I, Brian J. Dunne, declare and state as follows:

2 1. I am an attorney licensed in the State of California and admitted to the United States  
3 District Court for the Northern District of California. I am a partner at Bathaee Dunne LLP, counsel for  
4 the Advertiser Plaintiffs in the above-captioned matter. I have personal knowledge of the facts set forth  
5 herein and, if called as a witness, could and would testify competently to them.

6 2. This declaration is made in opposition to the Omnibus Motion to Seal Materials  
7 Submitted in Connection with the Class Certification and Daubert Briefing in the Advertiser case  
8 (“Sealing Motion”).

9 3. The specific information Meta seeks to seal and the reason each should not be sealed are  
10 identified in the tables below, with numbered rows for the Court’s ease of reference:

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
1	795-01		
2	795-01		
3	795-01		

**FILED UNDER SEAL**

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
4	795-01		
5	795-01		
6	795-01		
7	795-01		
8	795-01		
9	795-01		
10	795-01		
11	795-01		
12	795-01		
13	795-01		
14	795-01		
15	795-01		
16	795-01		
17	795-01		
18	795-01		
19	795-01		
20	795-01		
21	795-01		
22	795-01		
23	795-01		
24	795-01		
25	795-01		
26	795-01		
27			

**FILED UNDER SEAL**

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
13	795-01	[REDACTED]	[REDACTED]
14	795-01	[REDACTED]	[REDACTED]
15	795-01	[REDACTED]	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Public: People-based advertising: <a href="https://www.facebook.com/business/news/insights/the-future-of-marketing-people-based-planning-and-measurement">https://www.facebook.com/business/news/insights/the-future-of-marketing-people-based-planning-and-measurement</a> Facebook User Matching: <a href="https://dl.acm.org/doi/fullHtml/10.1145/3543507.3583311">https://dl.acm.org/doi/fullHtml/10.1145/3543507.3583311</a></p>
16	795-01	[REDACTED]	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>Public: Audience Network shows ads to FB users off FB: <a href="https://lunio.ai/glossary/facebook-audience-network/">https://lunio.ai/glossary/facebook-audience-network/</a></p>
17	795-01	[REDACTED]	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>Public: Audience Network shows ads to FB users off FB: <a href="https://lunio.ai/glossary/facebook-audience-network/">https://lunio.ai/glossary/facebook-audience-network/</a></p>
18	795-03	[REDACTED]	[REDACTED]
19	795-03	[REDACTED]	[REDACTED]

**FILED UNDER SEAL**

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
20	795-03		
21	795-03		
22	795-04		
23	795-04		
24	795-05		
25	795-06		
26	795-06		
27	795-07		

**FILED UNDER SEAL**

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
28	795-08	[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
29	795-10	[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
30	795-16	[REDACTED]	[REDACTED]
31	795-17	[REDACTED]	[REDACTED]
32	795-19	[REDACTED]	[REDACTED]
33	795-19	[REDACTED]	Public: <a href="https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/">https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/</a>  <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
34	795-19	[REDACTED]	[REDACTED]
35	795-19	[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
36	795-19	[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
		[REDACTED]	[REDACTED]
37	795-19	[REDACTED]	[REDACTED]

**FILED UNDER SEAL**

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
		[REDACTED]	
		[REDACTED]	
38	801-01	[REDACTED]	[REDACTED]
		[REDACTED]	
39	801-01	[REDACTED]	[REDACTED]
		[REDACTED]	
40	801-01	[REDACTED]	[REDACTED]
		[REDACTED]	
41	801-01	[REDACTED]	[REDACTED]
		[REDACTED]	
42	801-01	[REDACTED]	[REDACTED]
		[REDACTED]	
43	801-01	[REDACTED]	[REDACTED]
		[REDACTED]	
		[REDACTED]	[REDACTED]
			[REDACTED]
			[REDACTED]
			[REDACTED]
			[REDACTED]
			[REDACTED]
44	801-02	[REDACTED]	[REDACTED]
		[REDACTED]	
45	801-02	[REDACTED]	[REDACTED]
		[REDACTED]	
46	801-02	[REDACTED]	[REDACTED]
		[REDACTED]	
47	801-02	[REDACTED]	[REDACTED]
		[REDACTED]	
48	801-02	[REDACTED]	[REDACTED]
		[REDACTED]	
49	801-02	[REDACTED]	Public: <a href="https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/">https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/</a>  <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
50	801-02	[REDACTED]	Public: <a href="https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/">https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/</a>  <a href="https://www.tws-partners.com/2019/12/16/how-">https://www.tws-partners.com/2019/12/16/how-</a>

**FILED UNDER SEAL**

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
			<a href="#">facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
51	801-02	[REDACTED]	Public: <a href="https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/">https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/</a> <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
52	801-02	[REDACTED]	Public: <a href="https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/">https://www.linkedin.com/pulse/facebook-meta-ads-auction-how-works-sarfraz-razzaq/</a> <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
53	801-04	[REDACTED]	[REDACTED]
54	801-04	[REDACTED]	[REDACTED]
55	801-04	[REDACTED]	[REDACTED]
56	801-04	[REDACTED]	[REDACTED]
57	801-04	[REDACTED]	[REDACTED]
58	801-04	[REDACTED]	[REDACTED]
59	801-04	[REDACTED]	[REDACTED]
60	801-04	[REDACTED]	[REDACTED]
61	801-04	[REDACTED]	[REDACTED]
62	801-04	[REDACTED]	[REDACTED]
63	801-04	[REDACTED]	[REDACTED]
64	801-04	[REDACTED]	[REDACTED]
65	801-04	[REDACTED]	[REDACTED]



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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
66	801-04	[REDACTED]	[REDACTED]
67	801-04	[REDACTED]	[REDACTED]
68	801-04	[REDACTED]	[REDACTED]
69	801-04	[REDACTED]	[REDACTED]
70	801-04	[REDACTED]	[REDACTED]
71	801-04	[REDACTED]	[REDACTED]
72	801-04	[REDACTED]	[REDACTED]
73	801-04	[REDACTED]	[REDACTED]
74	801-04	[REDACTED]	[REDACTED]
75	801-04	[REDACTED]	[REDACTED]

**FILED UNDER SEAL**

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
76	801-04	[REDACTED]	[REDACTED]
77	801-04	[REDACTED]	[REDACTED]
78	801-04	[REDACTED]	[REDACTED]
79	801-04	[REDACTED]	[REDACTED]
80	801-04	[REDACTED]	[REDACTED]
81	801-04	[REDACTED]	[REDACTED]
82	801-04	[REDACTED]	[REDACTED]
83	801-04	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
84	801-04	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
85	801-04	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
86	801-04	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
87	801-04	[REDACTED]	Public: <a href="https://a.sfdcstatic.com/content/dam/www/ocms/assets/pdf/datasheets/sc_decode-thefacebook-auction.pdf">https://a.sfdcstatic.com/content/dam/www/ocms/assets/pdf/datasheets/sc_decode-thefacebook-auction.pdf</a>
88	801-04	[REDACTED]	Public: <a href="https://www.tws-">https://www.tws-</a>

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
		[REDACTED]	<a href="https://partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
89	801-04	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
90	801-04	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
91	801-04	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
92	801-04	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
93	801-04	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
94	801-04	[REDACTED]	Public: <a href="https://www.jstor.org/stable/3590361">https://www.jstor.org/stable/3590361</a>
95	801-04	[REDACTED]	Public: <a href="https://www.jstor.org/stable/3590361">https://www.jstor.org/stable/3590361</a>
96	801-04	[REDACTED]	[REDACTED]
97	801-04	[REDACTED]	[REDACTED]
98	801-04	[REDACTED]	[REDACTED]
99	801-04	[REDACTED]	[REDACTED]
100	801-04	[REDACTED]	[REDACTED]
101	801-04	[REDACTED]	[REDACTED]

**FILED UNDER SEAL**

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
102	801-04		
103	801-04		
104	801-04		
105	801-06		
106	801-06		
107	801-06		
108	801-06		
109	801-06		
110	801-07		
111	801-07		
112	801-07		
113	801-07		
114	801-07		
115	801-07		
116	801-11		

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
117	801-11	[REDACTED]	[REDACTED]
118	810-03 & 813-03	[REDACTED]	[REDACTED]
119	810-03 & 813-03	[REDACTED]	[REDACTED]
120	810-03 & 813-03	[REDACTED]	[REDACTED]
121	810-03 & 813-03	[REDACTED]	[REDACTED]
122	810-03 & 813-03	[REDACTED]	[REDACTED]
123	810-03 & 813-03	[REDACTED]	[REDACTED]
124	810-03 & 813-03	[REDACTED]	[REDACTED]
125	810-03 & 813-03	[REDACTED]	[REDACTED]
126	810-03 & 813-03	[REDACTED]	[REDACTED]
127	810-03 & 813-03	[REDACTED]	[REDACTED]
128	810-03 & 813-03	[REDACTED]	[REDACTED]
129	810-03 & 813-03	[REDACTED]	[REDACTED]
130	810-03 &	[REDACTED]	[REDACTED]

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
	813-03		
131	810-03 & 813-03	[REDACTED]	[REDACTED]
132	810-03 & 813-03	[REDACTED]	[REDACTED]
133	810-03 & 813-03	[REDACTED]	[REDACTED]
134	810-03 & 813-03	[REDACTED]	[REDACTED]
135	810-03 & 813-03	[REDACTED]	[REDACTED]
136	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
137	810-03 & 813-03	[REDACTED]	[REDACTED]
138	810-03 & 813-03	[REDACTED]	[REDACTED]
139	810-03 & 813-03	[REDACTED]	[REDACTED]
140	810-03 & 813-03	[REDACTED]	[REDACTED]
141	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
142	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
143	810-03	[REDACTED]	Public: <a href="https://www.tws-">https://www.tws-</a>

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Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
	& 813-03	[REDACTED]	<a href="https://partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
144	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.jstor.org/stable/3590361">https://www.jstor.org/stable/3590361</a>
145	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.jstor.org/stable/3590361">https://www.jstor.org/stable/3590361</a>
146	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.jstor.org/stable/3590361">https://www.jstor.org/stable/3590361</a>
147	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
148	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
149	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
150	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
151	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
152	810-03 & 813-03	[REDACTED]	Public: <a href="https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/">https://www.tws-partners.com/2019/12/16/how-facebook-ad-auctions-work-and-how-your-bidding-strategy-should-look/</a>
153	810-03 & 813-03	[REDACTED]	[REDACTED]
154	810-03 & 813-03	[REDACTED]	[REDACTED]
155	810-03	[REDACTED]	[REDACTED]

**FILED UNDER SEAL**

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
	& 813-03	[REDACTED]	
156	810-03 & 813-03	[REDACTED]	[REDACTED]
157	810-03 & 813-03	[REDACTED]	[REDACTED]
158	810-03 & 813-03	[REDACTED]	[REDACTED]
159	810-03 & 813-03	[REDACTED]	[REDACTED]
160	810-03 & 813-03	[REDACTED]	[REDACTED]
161	810-03 & 813-03	[REDACTED]	[REDACTED]
162	810-03 & 813-03	[REDACTED]	[REDACTED]
163	810-03 & 813-03	[REDACTED]	[REDACTED]
164	810-03 & 813-03	[REDACTED]	[REDACTED]
165	810-03 & 813-03	[REDACTED]	[REDACTED]
166	810-03 & 813-03	[REDACTED]	[REDACTED]
167	813-01	[REDACTED]	[REDACTED]
168	813-01	[REDACTED]	[REDACTED]
169	813-01	[REDACTED]	[REDACTED]
170	813-01	[REDACTED]	[REDACTED]



**FILED UNDER SEAL**

Row No.	Dkt. No.	Portion of Document Sought to Be Sealed, If Applicable	Basis for Not Sealing
171	824-03	[REDACTED]	[REDACTED]
172	824-03	[REDACTED]	[REDACTED]
173	824-03	[REDACTED]	[REDACTED]
174	Errata to Advertiser Class Rebuttal Report of Catherine Tucker	[REDACTED]	[REDACTED]

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 19, 2024, in Austin, Texas.

/s/ Brian J. Dunne  
Brian J. Dunne